



Planning Board April 11, 2006

CASE NO.

Petitioner(s)

Owner(s)

Location

Size / Scope

Location

Z-04-06

Martha Agner

(same)

2417 Statesville Boulevard (US-70), TM&P 330-029

Approximately 1.85 acres, encompassing 1 parcel

Located along the south side of Statesville Boulevard,
approximately 1,000 feet east of Majolica Road.

PETITIONER REQUEST

**Request to rezone approx. 1.85 acres from:
R-8 (Residential – Single-Family) district to
B-2 (Retail Business) district**

ZONING

Existing Zoning:

R-8 district

Single family-8 residential district (R-8). The single-family-8 residential (R-8) district is intended primarily for detached single-family dwellings and their customary accessory buildings or structures and to establish areas for a density of development relative to the lot size requirements of this district.

Proposed Zoning:

B-2 district

Retail business district (B-2). The limited business district is intended primarily for the location of selected commercial activities which serve community trade areas.



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ADJACENT LAND USES AND ZONING

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of property	Professional Office and Residential	B-1 and R-8
East of property	Residential	R-8
South of property	Residential	R-8
West of property	Vacant land and Residential	R-8





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PROPERTY STATUS

The property has one residential structure on site and a small accessory structure to the rear.

The site consists of a variety of large deciduous and evergreen trees and plenty of grassed yard areas to the front, sides, and rear.

The site is level at the roadway grade but does slope downward as it extends to the rear.





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POLICY

SALISBURY 2000 STRATEGIC GROWTH PLAN

Commercial Development

Highway oriented commercial uses provide goods and services to the traveling public and accommodate businesses which require extensive display and storage areas. Without proper safeguards, however, these areas may evolve into extensive lengths of strip commercial development containing a variety of business activities which are inappropriate and which result in traffic congestion, unsafe proliferation of curb cuts, and visual blight. Extreme caution should be taken to ensure that only those commercial activities which are truly highway oriented locate in these areas. Although it is often difficult to develop highway commercial areas as a unit, concentrations of businesses, adequate parking provisions, provision for coordinated ingress and egress and attention to aesthetic factors should be encouraged. They should be located only on major thoroughfares and the number of driveways serving these areas should be limited

Policy 5.1

Commercial development shall be encouraged to occur in clusters or planned shopping centers to minimize the proliferation of "retail strip" locations.

Policy 5.5

Highway oriented commercial uses shall be clustered along segments of arterial streets and contain land uses which are mutually compatible and reinforcing in use and design; they should be designed in such a way as to minimize signage, access points, and excessive lengths of commercial strip development.

Policy 5.7

Commercial uses shall be encouraged to develop by consolidation and deepening of existing commercially zoned property, only when such consolidation and deepening is compatible with adjacent land uses.



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Staff Comment

This petition for rezoning from residential to commercial is to some extent a foregone conclusion. With the current widening of US-70 to a 5-lane cross section, driving down the road you find multiple homes that have been vacated and are up for sale. As can be read in the policy statements above, it will be very important to guide future rezonings and development along this corridor into a pattern that encourages heavier commercial growth at the major intersections with less intensive commercial, office, and multi-family growth along the links.

This is a precarious time for this corridor because the widening project is far from complete, yet the houses continue to be vacated and scattered rezonings, such as this petition, are being submitted for individual parcels rather than larger consolidated development or rezoning plans. As is stated above and repeated in the Vision 2020 Comprehensive Plan, commercial development along major thoroughfares – with US-70 clearly falling into that category – needs to have planned, consolidated ingress and egress and smaller parcels should be consolidated to facilitate a more comprehensive development plan.

Staff is inclined to recommend denial of this rezoning in order to preserve the land use and development patterns along this important corridor until additional planning can be accomplished to aid in this area's growth. For instance, the US-70 Corridor Plan was not adopted by City Council for a variety of reasons, but this may be the time to resurrect that plan. However, due to the un-adopted plan and the ongoing widening project, staff believed that the common sense approach to this case was to facilitate the petitioner by asking that she seek a zoning district which meets her short-term objectives, while at the same time avoiding the most intensive commercial districts since the property is not located at a major intersection. She agreed to drop her original request to the B-2 district.



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GROWTH AREAS

This property is located within the 2000 Strategic Growth Plan's as well as the 2020 Comprehensive Plan's *Primary Growth* boundary.

WATER & SEWER

According to Salisbury-Rowan Utility Department, water and sewer are currently available to the subject site.

CODE REQUIREMENTS

Landscaping / Buffering

Development in the B-2 district will be required to provide a D-buffer yard with Complete Visual Separation against the R-8 district.

Setbacks

Front = 50 / Side = 20 / Rear = 20

Signage

<i>Sign Type</i>	<i>Maximum Size</i>	<i>Maximum Height</i>
Ground	40 sq. ft.	15 ft.
Wall	1.4 sq. ft.	N/A
Canopy or projection	30 sq. ft.	N/A

HISTORY

Original Zoning

This property and most of the area was originally zoned R-8, single-family, district.

Z-17-71 & Z-20-71

The two properties directly across US-70 were rezoned from R-8 to B-1, office institutional, district. The Planning Board recommended approval on both cases and City Council adopted the ordinances on October 5, 1971 and February 15, 1972, respectively.